

**AGENDA  
DANIA BEACH CITY COMMISSION  
REGULAR MEETING  
TUESDAY, JULY 24, 2012 - 7:00 P.M.**

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ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

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IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
  - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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**1. CALL TO ORDER/ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS AND SPECIAL EVENT APPROVALS**

- 1. Request for PILOT (Payment in Lieu of Taxes) Waiver from the Dania Beach Housing Authority - Rita Brown, Executive Director
- 2. Special Event request from the Broward Sheriff's Office Fire Department/Quarterdeck Restaurant for a "Car Wash" to benefit the American Cancer Society. The event will be held Saturday, July 28, 2012 from 10:00 a.m. to 3:00 p.m. in the Dania Beach Marina parking lot. The applicant is also requesting a special event permit fee waiver.

**4. PROCLAMATIONS**

**5. CITIZEN COMMENTS**

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

**6. PUBLIC SAFETY REPORTS**

## **7. CONSENT AGENDA**

1. Minutes:

Approve minutes of June 26, 2012 City Commission Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2012-083

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING ADDITIONAL FUNDING TO PURCHASE FROM WESCO TURF, INC., A TORO GROUNDSMASTER 3505-D ROTARY MOWER, MODEL NO. 30849 WITH ACCESSORIES, UNDER STATE CONTRACT NO. 760-000-10-1 PRICING, FOR AN ADDITIONAL AMOUNT OF \$249.21 FOR A TOTAL AMOUNT NOT TO EXCEED \$25,535.96; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2012-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY TO ACCEPT A CREDIT ISSUED TO THE CITY OF DANIA BEACH IN THE AMOUNT OF \$192,154.46 FOR UNUSED FUNDS, RESULTING FROM FINAL CREDIT CHANGE ORDER NO. 8 FROM CDM CONSTRUCTORS, INC., IN CONNECTION WITH THE DESIGN/BUILD SERVICES RELATED TO THE 2.0 MGD NANOFILTRATION WATER TREATMENT PLANT OF THE CITY; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FINAL CREDIT CHANGE ORDER NO. 8; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2012-085

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A VEHICLE SUBLEASE AGREEMENT (THE "AGREEMENT") WITH TD EQUIPMENT FINANCE, INC., A FOREIGN CORPORATION, AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA (THE "LENDER") AND THE BROWARD SHERIFF'S OFFICE (THE "SUBLESSEE"), RELATING TO THE SUBLEASE OF TWO (2) VEHICLES KNOWN AS QUINTS, WHICH ARE COMBINATIONS OF PUMP AND LADDER FIRE TRUCKS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2012-086

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE APPROPRIATION AND USE OF LAW ENFORCEMENT TRUST FUNDS IN AN AMOUNT NOT TO EXCEED \$11,000.00 FOR A COMPLETE ACCESS CONTROL SYSTEM FOR THE BROWARD SHERIFF'S OFFICE DISTRICT BUILDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2012-087

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$850,000.00 IN AVAILABLE FUNDS FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO BE USED FOR COSTS OF CITY AIRPORT LITIGATION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. ORDINANCE NO. 2012-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 220 "SUPPLEMENTAL BUILDING AND STRUCTURE HEIGHT REGULATIONS (INCLUDING LOWEST FINISHED FLOOR); "ROOFTOP REGULATIONS" IN ORDER TO PROVIDE REGULATIONS OF ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS IN RESIDENTIAL AND SMALL COMMERCIAL STRUCTURES TO IMPLEMENT THE "GO SOLAR" BROWARD ROOFTOP CHALLENGE PERMITTING PROCESS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

9. ORDINANCE NO. 2012-016

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DELEGATION REQUEST SUBMITTED BY DWAYNE L. DICKERSON, ON BEHALF OF GREENSPOON MARDER, P.A. TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "HOBAL PLAT", PREVIOUSLY RECORDED IN PLAT BOOK 179, PAGE 98, AND GENERALLY LOCATED AT 480 EAST DANIA BEACH BOULEVARD, DANIA BEACH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

10. ORDINANCE NO. 2012-017

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DELEGATION REQUEST SUBMITTED BY JEFF FALKANGER, ON BEHALF OF THE DESIGN CENTER OF THE AMERICAS, TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "DESIGN CENTER OF THE AMERICAS", PREVIOUSLY RECORDED IN PLAT BOOK 119, PAGE 32, AND GENERALLY LOCATED AT 1855 GRIFFIN ROAD, DANIA BEACH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

11. ORDINANCE NO. 2012-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DELEGATION REQUEST SUBMITTED BY LOU CAMPANILE, JR. OF McLAUGHLIN ENGINEERING COMPANY, ON BEHALF OF SUNBELT-RDF, LLC, TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "SHOPS AT GRIFFIN SUBDIVISION", PREVIOUSLY RECORDED IN PLAT BOOK 178, PAGE 92, AND GENERALLY LOCATED AT 4801 ANGLERS AVENUE, DANIA BEACH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

12. ORDINANCE NO. 2012-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY REPEALING SECTION 2-1.2 ("LOBBYISTS; REGISTRATION AND DISCLOSURE; ENFORCEMENT") OF THE CITY CODE OF ORDINANCES AND SECTION 2-1.4 ("ANNUAL LOBBYIST REGISTRATION FEE") OF THE CODE; FURTHER, CREATING ARTICLE XI, "LOBBYING REGULATIONS" OF CHAPTER 2, "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR THE ESTABLISHMENT OF A LOBBYIST REGISTRATION SYSTEM IN ACCORDANCE WITH SECTION 1-19, "CODE OF ETHICS FOR ELECTED OFFICIALS" OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS, REPORTING OF LOBBYING ACTIVITIES, PENALTIES, AND INCORPORATION OF SUBSEQUENT BROWARD COUNTY CODE AMENDMENTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

13. ORDINANCE NO. 2012-020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE PLAT REQUEST SUBMITTED BY CRAVEN THOMPSON AND ASSOCIATES, ON BEHALF OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, TO REPLAT A PROPERTY KNOWN AS "HIGHLAND PARK", PREVIOUSLY RECORDED IN PLAT BOOK 12, PAGE 12, AND GENERALLY LOCATED AT 5440 ANGLERS AVENUE, DANIA BEACH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

14. ORDINANCE NO. 2012-021

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 17, ENTITLED "OFFENSES-MISCELLANEOUS" OF THE CITY CODE OF ORDINANCES BY CREATING SECTION ARTICLE IV, "PROHIBITIONS: SYNTHETIC CANNABINOID HERBAL INCENSE AND SYNTHETIC STIMULANT BATH SALTS AND RELATED SUBSTANCES"; CREATING SECTION 17-131, TO BE ENTITLED "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC CANNABINOID HERBAL INCENSE; AND BY CREATING SECTION 17-132, TO BE ENTITLED "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC STIMULANT BATH SALTS, SYNTHETIC CATHINONES, SYNTHETIC AMPHETAMINES AND OTHER SYNTHETIC STIMULANTS THAT MIMIC ILLEGAL DRUGS"; PROVIDING DEFINITIONS; PROVIDING FOR SEIZURE AND INJUNCTIVE RELIEF; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

**8. BIDS AND REQUESTS FOR PROPOSALS**

**9. PUBLIC HEARINGS**

1. ORDINANCE NO. 2012-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 302 "DETAILED USE REGULATIONS" CONCERNING PERMITTED,

PROHIBITED AND SPECIAL EXCEPTION USES WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS; AMENDING ARTICLE 305 "INCENTIVES" CONCERNING DEVELOPMENT INCENTIVES WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND THE DEFINITIONS USED IN THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

2. RESOLUTION NO. 2012-082

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY JODY OBERHOLTZER, MANAGING MEMBER OF GREEN OAKS LLC, FOR PROPERTY LOCATED AT 2960 SW 23 TERRACE IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**10. DISCUSSION AND POSSIBLE ACTION**

1. Discussion of business incentives and transfer of funds from City to CRA - Jeremy Earle, CRA Executive Director

**11. COMMISSION COMMENTS**

- 11.1 Commissioner Castro
- 11.2 Commissioner Duke
- 11.3 Commissioner Grace
- 11.4 Vice-Mayor McElyea
- 11.5 Mayor Flury

**12. APPOINTMENTS**

1. Airport Advisory Board  
Commissioner Castro - 1 appointment
2. Grant Advisory Board  
Commissioner Castro - 1 appointment
3. Marine Advisory Board  
Commissioner Castro - 1 appointment

### **13. ADMINISTRATIVE REPORTS**

13.1 City Manager

13.2 City Attorney

13.3 City Clerk - Reminders

Tuesday, July 31, 2012 - 6:00 p.m.

Wednesday, August 1, 2012 - 6:00-8:00 p.m.

Wednesday, August 1, 2012 - immediately  
following the Impasse Hearing

Tuesday, August 14, 2012 - 7:00 p.m.

Tuesday, August 28, 2012 - 7:00 p.m.

CRA Board Meeting

Impasse Hearing

Special City Commission Meeting  
to adopt preliminary assessment fees  
and tentative millage rate

City Commission Meeting

City Commission Meeting

### **14. ADJOURNMENT**